

AGENDA

Board of Supervisors Chambers
1055 Monterey Street
San Luis Obispo, CA



BOARD OF SUPERVISORS

Frank R. Mecham, 1st District
Bruce Gibson, 2nd District
Adam Hill, Vice-Chairperson 3rd District
Lynn Compton, Chairperson, 4th District
Debbie Arnold, 5th District

Dan Buckshi, County Administrator

Tuesday, September 13, 2016

CONSENT AGENDA

9:00 AM

REVIEW AND APPROVAL

PUBLIC COMMENT PERIOD

BOARD BUSINESS

HEARINGS

CLOSED SESSION

RECESS

AFTERNOON SESSION

1:30 PM

REPORT ON CLOSED SESSION

PRESENTATIONS

HEARINGS

ADJOURNMENT

5:00 PM

- The Board of Supervisors' weekly agenda and staff reports are available at the following website: www.slocounty.ca.gov. Packets are also available at the County Government Center and may be viewed on-line at the Atascadero, Arroyo Grande, Paso Robles, Nipomo, Morro Bay, SLO City/County Libraries and the SLO Law Library.
- All persons desiring to speak on any Board item, including the Consent agenda, Closed Session or during the general public comment period are asked to fill out a "Board Appearance Request Form" and submit to the Clerk of the Board *prior* to the start of the Board item. Each individual speaker is limited to a MAXIMUM of three (3) minutes.
- Please refer to the information brochure located in the back and outside of the Board Chambers for additional information regarding accommodations under the Americans with Disabilities Act, supplemental correspondence, and general rules of procedure.

9:00 FLAG SALUTE

CONSENT AGENDA – REVIEW AND APPROVAL

The items listed on this portion of the agenda are scheduled for consideration as a group. The staff recommendations will be approved as outlined within the staff report. Any Supervisor may request an item be withdrawn from the Consent Agenda to permit discussion or change the recommended course of action for an item.

Consent Agenda - Administrative Office Items:

1. Request for approval to apply for the Federal Fiscal Year 2016 Homeland Security Grant in the amount of \$354,806. All Districts.
2. Request to approve the FY 2016-17 community based organizations/preventative health grant agreements with various non-profit organizations in the total amount of \$476,350 from Fund Center 106 – Contributions to Other Agencies. All Districts.
3. Thirty-day update on current drought conditions and related management actions for the Board's review of the continuing need for the March 11, 2014 proclamation of local emergency pursuant to Government Code section 8630. All Districts.
4. Request for approval to accept the Federal Fiscal Year 2016 Emergency Management Performance Grant in the amount of \$181,902 and approve a related budget adjustment of \$37,179. All Districts.

Consent Agenda - Auditor - Controller - Treasurer - Tax Collector Items:

5. Submittal of a resolution setting the FY 2016-17 tax rates for the Secured Property Tax Roll. All Districts.
6. Submittal of a resolution approving FY 2016-17 Final Budget Actions. All Districts.
7. Submittal of the Brown Armstrong CPAs Independent Auditor's Report on the County Treasury's cash balance and accountability for the 4th quarter of FY 2015-16 conducted on June 30, 2016. All Districts.

Consent Agenda - Board of Supervisors Items:

8. Request to approve an agreement with the Arroyo Grande Valley Harvest Festival Committee allocating \$2,000 from District Four Community Project Funds – Fund Center #106 to be used for expenses associated with the Arroyo Grande Valley Harvest Festival being held the weekend of September 23rd and 24th, 2016. District 4.
9. Request to reappoint William (Bill) Dodd to the Adelaida Public Cemetery District. District 1.
10. Submittal of Supervisor's expense report on meetings attended pursuant to Government Code section 53232.3(d). District 2.
11. Request to approve the appointment of Gregg Bone as a District 1 representative to the Bicycle Advisory Committee. All Districts.
12. Submittal of a resolution proclaiming September 2016 as "Childhood Cancer Awareness Month" in San Luis Obispo County. All Districts.

Consent Agenda - Clerk-Recorder Items:

13. Request to approve the minutes of the Board of Supervisors meetings held during the month of July 2016. All Districts.
14. Submittal of resolutions from school districts, special districts and cities (Clerk's File) requesting consolidation of district elections with the November 8, 2016, Consolidation General Election. All Districts.

Consent Agenda - Health Agency Items:

15. Request to approve a Standard Agreement Amendment to the FY 2014-15 through FY 2016-17 Multi-Year State Agreement with the Department of Health Care Services for substance abuse disorder services, for an overall decrease of \$31,880. All Districts.

Consent Agenda - Planning & Building Items:

16. Request to approve a resolution authorizing; (1) submittal of a grant application in the amount of \$997,714 to the 2016 Federal Continuum of Care Program for Fiscal Year 2017-18, and (2) the Director of the Planning and Building Department to sign the standard agreement and all other documents required for participation. All Districts.
17. Submittal of Resolution approving a Notice of Cancellation of Covenant and Agreement Restricting Use of Property, and Agreement with Michael Ralph Oien and Julianna Christine Schmidt, Trustees of the Oien-Schmidt Family Trust. District 4.
18. Submittal of resolution approving and accepting a revised Inclusionary Housing Agreement for Vesting Tentative Tract 2994 and Conditional Use Permit SUB2008-00041 with MI Creekside, LLC, a Delaware Limited Liability Company. District 1.
19. Request to approve the FY 2016-17 agreement with the Cal Poly Corporation to support the SLO HotHouse in the amount of \$200,000 for provision of Economic Development Services from FC -290 Community Development. All Districts.
20. Request to approve the FY 2016-17 agreement with Economic Vitality Corporation in the amount of \$148,775 to implement the San Luis Obispo County Clusters of Opportunity Economic Strategy from FC -290 Community Development. All Districts.

Consent Agenda - Public Works Items:

21. Submittal of a letter protesting a proposed moratorium on underground utility allocations (Tariff Rule 20A) under the pending Pacific Gas and Electric 2017 General Rate Case and forward to the California Public Utilities Commission. All Districts.
22. Submittal of a resolution authorizing execution of notice of completion and acceptance for the construction of the 2015-16 Asphalt Overlay, Various North County Roads, San Luis Obispo County. Districts 1 and 5.

23. Request to approve an agreement for environmental services with SWCA Environmental Consultants (SWCA) in an amount not to exceed \$82,158 for the Bridge Preventative Maintenance Program - Miscellaneous Locations Project. All Districts.
24. Request approval of Parcel Map CO 13-0101, a proposed subdivision resulting in 2 lots, by Phillip Kissel and Janice Kissel, Trustee of the Kissel Family Trust, which has been received and has satisfied all the conditions of approval that were established at the public hearing on the tentative map and act on the attached resolution to approve an avigation easement, south of the City of San Luis Obispo. District 3.

Consent Agenda - Sheriff - Coroner Items:

25. Request to authorize a budget adjustment in Fund Center (FC) 136 – Sheriff Coroner in the amount of \$55,000 from the Trial Court Security Growth Special Account to purchase a transportation van and a corresponding amendment to the Fixed Asset List to include a transportation van in FC 136 – Sheriff Coroner. All Districts.

Consent Agenda - Veterans Services Items:

26. Request to approve annual Medi-Cal Cost Avoidance and County Subvention agreements with the California Department of Veterans Affairs (CDVA). All Districts.

Public Comment Period:

27. The general public comment period is intended to provide an opportunity for members of the public to address the Board on matters within the Board's purview that are not scheduled on the current agenda. Individuals interested in speaking are asked to fill out a "Board Appearance Request Form" and submit it to the Clerk of the Board prior to the start of general public comment. When recognized by the Chair, each individual speaker may address the Board and is limited to a MAXIMUM of three (3) minutes or a reasonable period of time as determined by the Board Chairperson.

Board Business:

28. Request to review the need for continuing the Proclamation of Local Emergency related to the Chimney Fire pursuant to Government Code section 8630 and submittal of a resolution authorizing fee waivers for Chimney Fire reconstruction efforts. All Districts.
29. Submittal of the Fiscal Year 2015-16 Year-End Financial Status Report. All Districts.
30. Presentation of a project update on the new terminal building at the San Luis Obispo County Regional Airport. All Districts.

Hearings:

31. Hearing to consider adoption of an ordinance amending Chapter 1.01 of the San Luis Obispo County Code to reformat and recompile the San Luis Obispo County Code and repeal the previous county code. Hearing continued from August 16, 2016. All Districts.

32. Hearing to consider an Ordinance amending Chapter 8.12 of the San Luis Obispo County Code, the Solid Waste Management Ordinance, by amending Section 8.12.735 relating to the maximum term of Solid Waste Collection Franchise Agreements; and finding that the project is exempt from Section 21000 et seq. of the California Public Resources Code (CEQA). All Districts.

Closed Session Items:

33. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION (Government Code section 54956.9.) It is the intention of the Board to meet in closed session concerning the following items: (1) Significant exposure to litigation pursuant to paragraph (2) or (3) of subdivision (d) of section 54956.9. Number of potential cases: Three; (2) Initiation of litigation pursuant to paragraph (4) of subdivision (d) of section 54956.9. Number of potential cases: Three.

CONFERENCE WITH LEGAL COUNSEL - PENDING LITIGATION (Government Code section 54956.9.) It is the intention of the Board to meet in closed session concerning the following items: Existing Litigation (Gov. Code, section 54956.9(a)). (Formally initiated.) (3) PG&E's 2017 General Rate Case A: 15-09-001; (4) Application Filed by PG&E for Retirement of Diablo Canyon Power Plant A: 16-08-006; (5) Edmond Paul Price v. County of San Luis Obispo, et al.; (6) Bay Area/Diablo Petroleum Co. dba Golden Gate Petroleum v. San Luis Obispo County, et al.;

CONFERENCE WITH LABOR NEGOTIATOR (Government Code section 54957.6.) It is the intention of the Board to meet in closed session to have a conference with its Labor Negotiator, Tami Douglas-Schatz, concerning the following employee organizations: (7) San Luis Obispo Government Attorney's Union (SLOGAU); (8) San Luis Obispo County Employees Association – Trades and Crafts (SLOCEA-T&C); (9) Deputy County Counsel's Association (DCCA); (10) Sheriffs' Management; (11) San Luis Obispo County Probation Peace Officers' Association (SLOCPPOA); (12) Deputy Sheriff's Association (DSA); (13) District Attorney Investigators' Association (DAIA); (14) San Luis Obispo County Probation Managers' Peace Officers' Association (SLOCPMPOA); (15) San Luis Obispo County Employees Association – Public Services, Supervisors, Clerical (SLOCEA – PSSC); (16) Unrepresented Management and Confidential Employees; and (17) Association of San Luis Obispo County Deputy Sheriffs (ASLOCDS).

RECESS

1:30 REPORT ON CLOSED SESSION

Presentations:

34. Submittal of a resolution proclaiming September as "Suicide Prevention Awareness Month" in San Luis Obispo County. All Districts.
35. Submittal of a resolution recognizing the Celebration of Mexican Independence from Spain, "El Grito de la Independencia", in San Luis Obispo County. All Districts.

Hearings:

36. Hearing to consider proposed amendments to the San Luis Obispo County General Plan - Land Use and Circulation Element, the Conservation and Open Space Element, the Shandon-Carrizo subarea of the North County Area Plan, Title 18 of the County Code – the Public Facilities Fee Ordinance, Title 22 of the County Code – the Land Use Ordinance for the Summer 2016 General Plan Amendment Cycle; includes approval of environmental documents. All Districts.
37. Hearing to consider an appeal by Roland Soucie of the Planning Commission's approval of a request by Pacific Cambria Inc. for a Development Plan / Coastal Development Permit (DRC2015-00096) to allow temporary events, the Cambria Christmas Market, at the Cambria Pines Lodge and Cambria Nursery on Burton Drive in Cambria, and to waive the requirement for temporary events to be setback at least 1,000 feet from a residential area. The project is exempt from CEQA. District 2.

ND. WEEKLY REPORT OF ENVIRONMENTAL DOCUMENTS AVAILABLE FOR REVIEW

The purpose of the environmental review process is to provide information about the environmental effects of the actions and decisions made by the County, so that environmental considerations become a part of the decision making process. The following is a summary of the most recent determinations made by the County's Environmental Coordinator. The purpose of this listing is to notify the public of pending actions, which may affect the environment of San Luis Obispo County.

You are invited to participate in this process by reviewing and providing comments on the recommendations of the Environmental Coordinator. Your comments should be in writing and should be delivered to: Ellen Carroll, Environmental Coordinator, Department of Planning and Building, 976 Osos Street, Room 300, San Luis Obispo, Ca 93408-2040. For more information about the environmental review process, please write to the address above, call the Department of Planning and Building at (805) 781-5600, or review the environmental determination and other information on our website located at www.sloplanning.org.

Proposed Negative Declarations

A Negative Declaration is issued for projects that would not result in significant effects on the environment. In many cases, the project applicant has added mitigation measures to the project to reduce environmental impacts in order to qualify for a Negative Declaration. If you disagree with the issuance of a proposed Negative Declaration, you may provide comments or file a Request for Review (appeal) of the Negative Declaration. Requests for Review must be filed within two weeks of the date that the proposed Negative Declaration is posted and must address only environmental issues. There is a fee for the request. If you would like more information about this process, please contact the Environmental Coordinator.

For Week of September 1st, 2016

Templeton Area

Request by Hughes PR Industries (Applicant) for a Major Grading Permit for the placement and distribution of approximately 67,000 cubic yards of excavated sediment and silt fill material over two proposed fill locations, totaling approximately 419,000 square feet (9.62 acres). The sediment/silt fill material would be excavated from the southwestern portion of an existing agricultural reservoir located within 0.5 mile of the proposed upland fill locations on the Old Creek Ranch property. Project location is Old Creek Ranch, 3540 Old Creek Road, approximately 5.75 miles northeast of the community of Cayucos, in Templeton, within the Adelaida Sub Area of the North County Planning Area.

PMT2015-02857 (ED16-019)

For Week of September 8th, 2016

Los Osos Area

A request by San Luis Obispo County Department of Public Works for a Minor Use Permit/ Coastal Development Permit to allow for installation and operation of a groundwater remediation system at the former Los Osos Landfill. The project will include the installation of ten groundwater extraction wells, construction of a 380 square-foot water treatment facility building, and an above-ground air and water line system to collect and treat groundwater. The project will result in the disturbance of approximately 2,000 square feet, all within areas previously disturbed by landfill activities, on an 87 acre parcel. The proposed project is within the Agriculture land use category is in the Estero planning area, on the south side of Turri Road, approximately 1.7 miles southeast of South Bay Boulevard, approximately 2 miles east of the community of Los Osos

DRC2015-00129 (ED15-312)